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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 DENVER G. SMITH,

12 Petitioner,

13 v.

14 TIMOTHY WENGLER, *et al*,

15 Respondent.

Case No. C08-5349 BHS/KLS

AMENDED ORDER
EXTENDING RESPONDENT'S
TIME TO FILE AN ANSWER

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17 This Order amends the Court's previous order (Dkt. # 18) to correct the docket activities
18 occurring in the calendar year 2009. In addition, although the previous Order reflected that Petitioner
19 filed no opposition to the requested extension, the Court wishes the record to correctly reflect that its
20 Order was entered prior to the motion noting date of November 21, 2008. As previously stated,
21 however, the Court finds that the extension is warranted to allow Respondent sufficient time to
22 review the state court record recently received from the Washington state courts.

23 Accordingly, it is **ORDERED:**

- 24 1. Respondent's motion for an extension of time to file an answer to the petition for a
25 writ of habeas corpus (Dkt. # 17) is **GRANTED**. Respondent shall file an answer on
or before **December 26, 2008**;
- 26 2. The Clerk of the Court shall **re-note** the Petition for Writ of Habeas Corpus (Dkts. # 7
27 and 8) for **January 23, 2009**;
- 28 3. Petitioner may file and serve a response not later than **January 19, 2009** and
Respondent may file and serve a reply brief not later than **January 23, 2009**; and

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2 4. The Clerk shall send copies of this Order to the Petitioner and to counsel for
3 Respondents.

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5 DATED this 20th day of November, 2008.

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Karen L. Strombom
United States Magistrate Judge